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Feb. 6, 2007  
Date

Kay Bulen  
Kay Bulen

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Markl et al.

Application No.: 09/699,243

Filed: October 27, 2000

For: METHYLATION ALTERED DNA SEQUENCES AS MARKERS

ASSOCIATED WITH HUMAN CANCER

Examiner Jeanine A. Goldberg

Art Unit: 1634

Docket No.: 47675-14

Date: January 25, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Dear Sir:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, applicants wish to make known to the Patent and Trademark Office the references set forth on the attached form PTO/SB/08. Copies of the cited references are enclosed. As to any reference supplied, applicants do not admit that it is "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such reference, as by a showing under 37 C.F.R. § 1.131 or other method. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with applicants' duty to disclose all information they are aware of which is believed relevant to the examination of the above-identified application, applicants believe that their invention is patentable.

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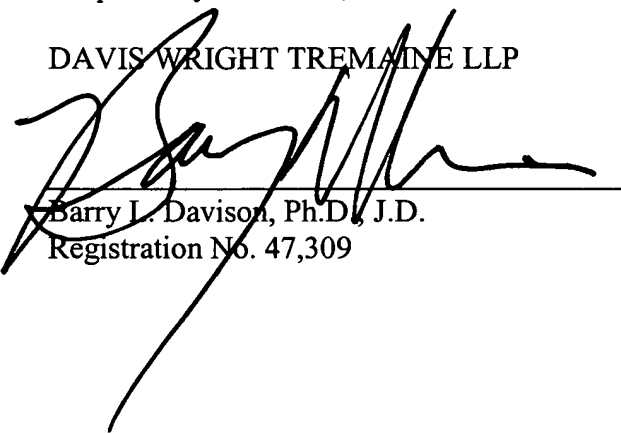
The cited documents came to the applicants' attention when they were cited in a corresponding European application. A copy of the European search report is also enclosed.

Please acknowledge receipt of this Information Disclosure Statement and kindly make the cited references of record in the above-identified application.

A fee of \$180 is submitted in accordance with 37 C.F.R. § 1.97(c). The Commissioner is authorized to charge any other fees which may be required, or credit any overpayment to Deposit Account No. 04-0258.

Respectfully submitted,

DAVIS WRIGHT TREMAINE LLP



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PTO/SB/08A (07-06)

Approved for use through 09/30/2006. OMB 0651-0031

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|-------|---|----|---|
| Sheet | 1 | of | 2 |
|-------|---|----|---|

**Complete if Known**

|                               |                     |
|-------------------------------|---------------------|
| <i>Application Number</i>     | 09/699,243          |
| <i>Filing Date</i>            | October 27, 2000    |
| <i>First Named Inventor</i>   | Markl               |
| <i>Art Unit</i>               | 1634                |
| <i>Examiner Name</i>          | Jeanine A. Goldberg |
| <i>Attorney Docket Number</i> | 47675-14            |

## U.S. PATENT DOCUMENTS

[illegible]

## FOREIGN PATENT DOCUMENTS

[illegible]

**Examiner  
Signature**

Date Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.<sup>1</sup> Applicant's unique citation designation number (optional).<sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04.<sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3).<sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible.<sup>6</sup> Applicant is to place a check mark here if English language Translation is attached

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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Sheet 2 of 2

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|                        |                     |
|------------------------|---------------------|
| Application Number     | 09/699,243          |
| Filing Date            | October 27, 2000    |
| First Named Inventor   | Markl               |
| Art Unit               | 1634                |
| Examiner Name          | Jeanine A. Goldberg |
| Attorney Docket Number | 47675-14            |

**NON PATENT LITERATURE DOCUMENTS**

| Examiner<br>Initials * | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>2</sup> |
|------------------------|--------------------------|---|----------------|
|                        | A2                       | Database EMBL Online! 2 August 2000 YOUNG, JP et al., Homo sapiens hyperplastic polyposis proteins (HPP1) gene, 5' UTR and partial cds. XP002366588 retrieved from EBI Database accession no. AF264150.1  |                |
|                        | A3                       | YOUNG et al., HPP1: A transmembrane protein-encoding gene commonly methylated in colorectal polyps and cancers, Proc. Natl. Acad. Sci., 98:265-270, 2001  |                |
|                        | A4                       | LIANG et al., The gene for a novel transmembrane protein containing epidermal growth factor and follistatin domains is frequently hypermethylated in human tumor cells, Cancer Res. 60:4907-4912, 2000  |                |
|                        | A5                       | SZYF, M., The DNA methylation machinery as a therapeutic target, Current Drug Targets, July 2000, pages 101-118   |                |
|                        | A6                       | TOYOTA et al., Identification of differentially methylated sequences in colorectal cancer by methylated CpG island amplification, Cancer Res. 59:2307-2312, 1999  |                |
|                        | A7                       | GONZALGO and Jones, Rapid quantification of methylation differences at specific sites using methylation-sensitive single nucleotide primer extension (Ms-SNuPE), Nucl. Acids Res., 25:2529-2531, 1997   |                |
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<sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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